

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

**IN RE: INSULIN PRICING
LITIGATION**

**Case No. 2:23-md-3080 (BRM)(LDW)
MDL No. 3080**

**JUDGE BRIAN R. MARTINOTTI
JUDGE LEDA D. WETTRE**

**DECLARATION OF KELLEY
CONNOLLY BARNABY IN
SUPPORT OF MOTION TO SEAL**

THIS DOCUMENT RELATES TO ALL TRACKS AND ALL CASES

I, Kelley C. Barnaby, hereby declare pursuant to 28 U.S.C. § 1746 as follows:

1. I am over 21 years old, of sound mind, and under no legal disability. I have personal knowledge of the facts set forth in this Declaration and if called to testify in person about those facts, could and would do so competently under oath.

2. I am a member of the bars of Georgia and Washington, D.C. and am admitted *pro hac vice* to practice in this matter before this Court. I am a partner at the law firm Alston & Bird LLP and represent Defendants UnitedHealth Group Incorporated; OptumRx, Inc.; Optum, Inc.; OptumInsight, Inc.; and Emisar Pharma Services LLC (“OptumRx”) in this action. As such, I am familiar with the facts and circumstances in this matter.

3. I submit this declaration in support of PBM Defendants’ Motion to Seal Confidential Information contained in the following documents, which have been filed provisionally under seal:

- a. PBM Defendants’ Opposition to Motion to Compel Responses to Compass Lexecon Subpoena to Produce Documents (the “Opposition”) [ECF No. 596-597], pages 4 and 21; and,
- b. Exhibit 2 to the Opposition.

4. Plaintiffs do not object to this request. I am aware of no party or nonparty that objects to this request.

5. An Index, substantially in the form suggested by Appendix U to the Local Civil Rules, has been prepared identifying the protected commercially sensitive information the PBM Defendants seek to seal, including: (a) the nature of the materials or proceedings at issue; (b) the legitimate private or public interest which warrants the relief sought; (c) the clearly defined and serious injury that would result if the relief sought is not granted; (d) why a less restrictive alternative to the relief sought is not available; and (e) the identity of any party or nonparty known to be objecting to the sealing request. No prior order has been entered in this action sealing the same materials.

6. Attached to this Declaration as Exhibit 1 is a true and correct copy of the Index in Support of the PBM Defendants’ Motion to Seal.

7. Filed concurrently herewith under seal as Exhibit 2 is a true and correct unredacted copy of Exhibit 2 to the Opposition, previously filed under seal with redactions.

8. Attached to this Declaration as Exhibit 3 is a true and correct copy of the Declaration of Sophia A. Hansell, submitted on behalf of the OptumRx Defendants.

I declare under penalty of perjury that the foregoing statements are true and correct to the best of my knowledge.

Dated this 27th day of June, 2025, in Washington, DC.



Kelley Connolly Barnaby